

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Scalora *et al.*

Appl. No. To be assigned

Filed: HERewith

For: **Photonic Signal Frequency Up  
and Down-Conversion Using a  
Photonic Band Gap Structure**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1659.0650001/MVM/AJF

**Authorization To Treat A Reply As Incorporating An Extension Of Time  
Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Albert J. Fasulo

Attorney for Applicants

Registration No. 43,607

Date: 12/22/00

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1659.0650001/MVM/AJF
First Inventor	Scalora et al.
Title	Photonic Signal Frequency Up and Down-Conversion Using a Photonic Band Gap Structure
Express Mail Label No.	

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 50]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 14]
5. Oath or Declaration [Total Pages \_\_\_\_\_]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

jc688 U.S. PAT  
09/742295  
12/22/00

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Two Return Receipt Postcards (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: \_\_\_\_ / \_\_\_\_  
Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

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or ☒ Correspondence address below

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SIGNATURE	<u>Albert J. Fasulo, II</u>	Date	December 22, 2000

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

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December 22, 2000

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Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To be assigned; Filed: HERewith  
For: **Photonic Signal Frequency Up and Down-Conversion Using a  
Photonic Band Gap Structure**  
Inventors: Scalora *et al.*  
Our Ref: 1659.0650001/MVM/AJF

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05 (*in duplicate*);
2. U.S. Utility Patent Application entitled:

**Photonic Signal Frequency Up and Down-Conversion Using a Photonic Band  
Gap Structure**

and naming as inventors:

Michael Scalora  
Mark J. Bloemer

Commissioner for Patents

December 22, 2000

Page 2

Marco Centini  
Giuseppe D'Aguanno

the application comprising:

- a. specification containing:
    - i. 43 pages of description prior to the claims;
    - ii. 6 pages of claims ( 27 claims);
    - iii. a one (1) page abstract;
  - b. 14 sheets of drawings: (Figures 1A, 1B, 2-16, 17A, 17B and 18);
3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (*in duplicate*);
  4. Application Data Sheet (see 37 CFR § 1.76); and
  5. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Albert J. Fasulo  
Attorney for Applicants  
Registration No. 43,607

Enclosures